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Inc.  
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October 17, 2016

**VIA ELECTRONIC FILING**

Ms. Marlene H. Dortch  
Secretary  
Federal Communications Commission  
445 12<sup>th</sup> Street, SW  
Washington, DC 20554

**Re: Notice of *Ex Parte* Presentation**

**GN Docket No. 14-177, *Use of Spectrum Bands Above 24 GHz for Mobile Radio Services***

On October 13, 2016, Jerry Pi, Chief Technology Officer of Straight Path Communications, Inc. ("Straight Path") (by phone), Russell Fox of Mintz Levin and I conducted a single meeting with the following members of the Commission's staff regarding the above referenced proceeding:

Wireless Telecommunications Bureau:

- Blaise Scinto
- Catherine Schroeder
- John Schauble
- Simon Banyai
- Stephen Buenzow (by phone)
- Nancy Zaczek
- Karen Sprung
- Jeffrey Tignor
- Brian Regan
- Catherine Matraives (by phone)
- Tim Hilfiger (by phone)
- Charles Oliver (by phone)
- Matthew Pearl (by phone)

Office of Engineering and Technology:

- Martin Doczkat
- Barbara Pavon
- Nicholas Oros
- Aspasia Paroutsas
- Bahman Badipour

International Bureau:

- Kal Krautkramer
- Jose Albuquerque

We made the following points related to the *Further Notice*. *First*, we continued to assert that the satellite industry has not made a case for increased power flux density ("PFD") limits in the 37-40 GHz band. Straight Path has supported satellite industry access to

millimeter wave spectrum under reasonable conditions.<sup>1/</sup> The record remains clear, however, that the conditions under which satellite interests seek access to millimeter wave spectrum will devastate terrestrial 5G operations, which would undermine the purpose of this proceeding. The higher limits for which the satellite industry advocates will cause harmful interference to both base station and mobile operations. If providers of terrestrial wireless services are required to accommodate increased PFD limits, then costly digital processing must be incorporated in devices. This would drive up providers' expenses to uneconomic levels. Straight Path therefore prefers the current soft-segmentation approach under which terrestrial services have primary access to the 37-40 GHz band, and satellite services have primary access to the 40-42 GHz band. If the Commission deviates from this approach, it must consider additional terrestrial use of the 40-42 GHz band.

*Second*, we urged the Commission to consider including other bands – in particular the remainder of the spectrum designated for the Local Multipoint Distribution Service (“LMDS”) – for 5G terrestrial operations. While this spectrum may not meet the Commission’s initially-stated criteria, it nonetheless represents a meaningful block of spectrum that can be deployed domestically.

*Finally*, we argued that the proposal to adopt “use-it-or-share-it” rules is not in the public interest. Such a sharing scheme would destabilize services using licensed spectrum on an exclusive basis. There are currently no processes in place to ensure that an opportunistic spectrum user will clear a band when that spectrum is required for a licensee’s use.

\* \* \* \*

Pursuant to Section 1.1206(b)(2) of the Commission’s rules, an electronic copy of this letter is being filed for inclusion in the above-referenced docket and sent to each member of the Commission’s staff with whom we met. Please direct any questions regarding this filing to the undersigned.

Respectfully submitted,

/s/ Davidi Jonas

Davidi Jonas  
CEO and President  
Straight Path Communications, Inc.

cc: (via e-mail, to all Commission staff noted above)

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<sup>1/</sup> See, e.g., Letter from Davidi Jonas, CEO and President, Straight Path Communications, Inc. to Marlene H. Dortch, Secretary, FCC, GN Docket No. 14-177, at 4 (filed June 14, 2016).